(10)

**HIGH COURT OF JUDICATURE AT BILASPUR : CHHATTISGARH**

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**SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.**

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**WRIT PETITION NO. 1345 OF 2005**

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| **PETITIONER** (Original plaintiff) | : | **Suresh Kumar Jagatramka**<br>Aged about 50 years<br>S/o. Shri Banwari lal jagatramka<br>Resident of Gandhi Chowk, Raigarh (C.G.) |
| | | Versus |
| **RESPONDENT** (Original Defendant) | : | **Vijay Saraf, S/o Sagarmal Saraf**<br>R/o Not known, Advocate, District Bar Association, Raigarh (C.G.) |

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Present : Shri Ankit Pandey, learned counsel for the petitioner.

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**(ORAL ORDER)**
**(Passed on 05th May, 2006)**

The grievance of the petitioner / plaintiff is that the application made by him under Section 151 of CPC to direct the Bar Council of India, Chhattisgarh State Unit to take action against the respondent – Advocate for alleged professional misconduct, has been unjustly rejected by the trial Court. There is no need for the Court to examine whether there is *prima facie* misconduct on the part of the respondent – Advocate or not, at this stage. Suffice it to state that if in the opinion of the petitioner/ plaintiff, the respondent – Advocate has committed any professional misconduct, he can bring to the notice of the Bar Council of India, Chhattisgarh State Unit. The writ petition is, therefore, dismissed, reserving liberty as indicated above. No costs.

**Sd/-**
**Chief Justice**